

Philip J. Berg, Esquire  
Pennsylvania I.D. 9867

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Evelyn Adams, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Lisa Ostella and  
Go Excel Global, Plaintiffs  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Lisa Liberi, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Attorney in pro se and for Plaintiffs  
upon Pro Hac Vice Admission*

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS,  
AMARILLO DIVISION**

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LISA LIBERI, et al,

Plaintiffs,

vs.

LINDA SUE BELCHER, et al,

Defendants.

CIVIL ACTION NUMBER:

**2:11-cv-090-J**

**RULE 26(f) JOINT REPORT**

Date of Hearing:  
Time of Hearing:  
Location:

Pursuant to Federal Rules of Civil Procedure [“Fed. R. Civ. P.”] 26(f), and this Court’s Order of September 2, 2011, Plaintiffs hereby submit their Joint Report of the early meeting of counsel, attempted with the Defendants on October 21, 2011.

Plaintiffs are submitting their report on behalf of themselves only due to Defendants refusal to cooperate. Philip J. Berg, Esquire sent the Proposed Joint Scheduling Report along with Federal Rules of Civil. Procedure, 26(f) to the Defendants and informed the Defendants of their requirement to cooperate pursuant to this Court’s Order of September 2, 2011. Mr. Berg also set a Conference. *See EXHIBIT “1”.* Defendants Edgar Hale and Linda Belcher contacted Mr. Berg, however, instead of complying with the requirements of the Joint Report they argued about not agreeing with the Plaintiffs Synopsis in the draft Report. Mr. Berg explained to them that they need to input their own synopsis in the blanks with their names. Instead of cooperating, Defendant Linda Belcher hung up on Mr. Berg and Defendant Edgar Hale stated he needed more time. Defendants Belcher and Hale also stated they were dealing with medical problems which they were recently previously hospitalized for.

Based on the statements, Plaintiffs agreed to go forth with an Extension of Time to file the Joint Report. Mr. Berg prepared a Stipulation based upon Defendants Hale and Belcher’s statements regarding their medical, which all

Plaintiffs approved, and sent the Stipulation to the Defendants. *See EXHIBIT “2”.* Mr. Berg asked the Defendants to sign the Stipulation for the Extension of Time to file their Joint 26(f) report and either fax or email the signed pages to Mr. Berg so he could file the Stipulated Agreement as outlined in **EXHIBIT “2”**.

Defendants refused to comply. Mr. Berg sent another email to the Defendants and stated if he did not receive the Defendants Synopsis and other information for the Rule 26(f) Joint Report, or the signed Stipulated Agreement for the Extension of Time, by noon, Eastern Standard Time on Friday, October 21, 2011, then Plaintiffs would finalize their Report; file their Report with the Court and inform the Court of the Defendants refusal to cooperate. *See EXHIBIT “3”.*

Plaintiffs went out of their way to accommodate the Defendants, despite this, Defendants refused to cooperate with this Report.

For these reasons, Plaintiffs are filing their Rule 26(f) Report on their own behalf as Defendants have refused to cooperate in violation of this Court’s September 2, 2011 Court Order.

**1. STATEMENT OF THE CASE:**

**a. Plaintiffs Synopsis**

Plaintiffs, Evelyn Adams[“Adams”], Lisa Liberi [“Liberi”], Lisa Ostella [“Ostella”], Philip J. Berg, Esq. [“Berg”], Go Excel Global and the Law Offices of Philip J. Berg brought suit against Defendants, Edgar Hale, Caren Hale, Plains

Radio Network, Inc. [“Plains Radio”], Bar H Farms, KPRN AM 1610 [“Hale Defendants”], Linda Sue Belcher a/k/a Linda Starr [“Belcher”] for permanent Injunctive relief enjoining the Defendants from access any type of publications on the Internet, on the Radio, on website forums, private internet networks, public internet networks; the publication of Plaintiffs’ private data; Invasion of Privacy; Invasion of Plaintiffs rights to Solitude; Placing Plaintiffs in a False Light; Disclosure of Private facts; Cyber-bullying; Cyber-stalking; Cyber-Harassment; Slander; Libel; Defamation; Intentional Infliction of Emotional Distress; and to enjoin all the Defendants’ unlawful conduct; recovery of actual damages; statutory damages; punitive damages and other damages for Defendants’ unlawful acts, disgorgement of all unjust gains and attorney fees and costs.

Defendants Edgar and Caren Hale run an Internet Radio show which also airs on AM radio channels by and through Plains Radio Network, Inc. KPRN AM 1610, and Bar H. Farms.

Ms. Adams for a short month co-hosted with Defendant Edgar Hale on his radio show, Plains Radio Network, Inc. Mr. Berg appeared on the Hale Defendants radio programs a few times. Plaintiff Adams was going to have a guest on the radio show, Lawrence Sinclair, and Defendant Hale wanted Plaintiff Adams to falsify a story about Mr. Sinclair. Plaintiff Adams refused and decided to leave Plains Radio as a result thereto.

Defendants Edgar and Caren Hale began spreading false rumors that they had procured and paid the expenses in procuring an International Birth Certificate for our now sitting President, Barack Obama and stated they provided the original documents to Mr. Berg. Of course, this was untrue. It was also brought to Mr. Berg's attention that the Hale Defendants were collecting monies they claimed was for Mr. Berg and his litigation. But, Mr. Berg never received any of the proceeds, nor did he ever give permission for the Hale Defendants to collect money on his behalf. As a result thereto, Mr. Berg refused to go on any further radio shows of the Hale Defendants or have anything to do with the Hale Defendants.

The Hale Defendants began posting all over the Internet and stating on radio shows that Plaintiff Evelyn Adams was a thief, a whore, a bitch, and stated Mrs. Adams would sleep with anyone for a dollar. The Hale Defendants also began falsely accusing Evelyn Adams of stealing their "Obama" Divorce papers. The Hale Defendants put out a "criminal record" of a woman also named Evelyn Adams, stating it was that of Plaintiff Evelyn Adams herein. Further, the Hale Defendants put out Plaintiff Adams home number and had people calling, harassing, threatening and showing up at Mrs. Adams residence.

In addition, the Hale Defendants began posting all over the Internet and on Radio Shows that Plaintiff Berg was a thief, a drunk, that Mr. Berg spent all his money at bars, Mr. Berg stole Obama Divorce papers from them (the Hale

Defendants), that Plaintiffs Berg and Adams were under investigation and going to be arrested and jailed under the Racketeering Influenced Corrupt Organization [“RICO”] crime statutes.

Mrs. Adams hired Mr. Berg’s and his firm to send Defendant Edgar Hale a Cease and Desist to stop the slander on the Internet. A Cease and Desist was sent to the Hale Defendants, but this did not stop them from their illegal acts which damaged Plaintiffs Adams and Berg.

Shortly thereafter, Defendant Edgar Hale filed a false lawsuit against Evelyn Adams in Wellington, Texas claiming Plaintiff Adams stole the “Obama v. Obama” Divorce papers. Mrs. Adams hired Mr. Berg and his firm to represent her, and the case was Dismissed with Prejudice.

Instead of stopping the illegal acts, the Hale Defendants began harassing Mr. Berg’s paralegal, Lisa Liberi. The Hale Defendants obtained an illegal background check on Mrs. Liberi, and began posting on the Internet Mrs. Liberi’s signature with documents that contained Plaintiff Liberi’s full Social Security number, and discussing on radio programs a loan Mrs. Liberi had just taken out, that Mrs. Liberi was stealing money from Orly Taitz<sup>1</sup>, that Liberi was convicted in

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<sup>1</sup> Orly Taitz is an attorney and Dentist being sued by Plaintiffs Lisa Liberi, Lisa Ostella and Philip J. Berg in the U.S. District Court, Central District of California, Southern Division, Liberi, et al v. Taitz, et al, Case No. 8:11-cv-00485 AG. This is the other half of this case which was severed and transferred from Pennsylvania to Texas and California.

100 and 200 criminal counts, that Mrs. Liberi was a fraud, that Lisa Liberi, Adams, Lisa Ostella and Philip J. Berg, Esquire were “scamming” people, etc.

This is also the same time the Hale Defendants went after Plaintiff Lisa Ostella. The Hale Defendants were accusing Plaintiff Ostella of stealing monies from Orly Taitz, from “locking” Orly Taitz out of her website, of being the same person as Lisa Liberi, that Lisa Ostella had a “criminal record”, that Lisa Ostella stole Orly Taitz’ website, etc.

Linda Belcher was a volunteer for Mr. Berg on his website. Belcher would approve posts, ban problem posters, etc. However, Belcher’s behavior became unruly and therefore her moderator and administrator accesses were removed. Belcher began sending out emails to everyone located on Mr. Berg’s website database falsely accusing Plaintiff Liberi of deleting Mr. Berg’s emails, controlling Mr. Berg, erasing phone messages of Mr. Berg, stealing from Mr. Berg, and falsely claiming Plaintiff Liberi and Mr. Berg were “harassing, slandering, libeling and defaming” her.

The Hale Defendants teamed up with Defendant Linda Belcher and Orly Taitz. Belcher began going on the Hale Defendants Radio shows accusing Plaintiffs Liberi and Berg of harassing her, stating Liberi was handling credit cards on behalf of Mr. Berg, that Liberi was stealing monies from Orly Taitz and Mr. Berg, the Hale Defendants and Belcher were making fun of Liberi stating she was

going to have another heart attack, that Liberi was going to be arrested, that Liberi was committing Social Security Fraud. In fact, Belcher filed false complaints against Plaintiff Liberi with the Social Security Administration, Belcher filed false reports against Liberi with the Federal Bureau of Investigations in San Antonio, Texas, Belcher put out Liberi's home address and telephone number, Belcher had people calling and harassing Liberi and her family, was falsely accusing Liberi of sending out emails and posts slandering, libeling and defaming her (Belcher), when it was Belcher and the Hale Defendants conducting these illegal acts against the Plaintiffs. It should be noted, Plaintiff Lisa Liberi is not a blogger, does not have a website, and other than Mr. Berg's website on Mr. Berg's behalf,<sup>2</sup> Liberi does not belong to or post on forums.

Belcher also filed false law enforcement reports against Liberi claiming Liberi was accessing Mr. Berg's donators' credit cards, stealing monies from Mr. Berg, stealing from Orly Taitz, committing fraud on the Courts, perjury, etc. Belcher also called Plaintiff Lisa Ostella claiming to be calling from Cyber Crimes Office in San Antonio, Texas. Belcher also joined teams with one of Orly Taitz's clients, Neil Turner and sent Plaintiff Liberi's family photo<sup>3</sup>, home address and telephone number to white supremacy groups, armed militia groups and other

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<sup>2</sup> Lisa Liberi at the request of Philip J. Berg, Esquire did post information on Mr. Berg's website on Mr. Berg's behalf on a few occasions.

<sup>3</sup> Orly Taitz illegally obtained a family picture of Lisa Liberi and provided it to the Defendants herein.

dangerous individuals and hate groups calling Plaintiff Liberi a “Blood Red Herring”.

Belcher then teamed up with her friend of 20 years, Geoff Staples. The two [2] along with the Hale Defendants and Orly Taitz set-up a website in Plaintiff Liberi’s name, lisaliberi.com. Belcher sent out emails from an email address they set up, [convictedfelon@lisaliberi.com](mailto:convictedfelon@lisaliberi.com) to everyone on Liberi’s AOL address book stating “love your new site”, signed convicted felon. The emails were sent to individuals, including attorney’s Plaintiff Liberi interns with. This website contained a picture of Plaintiff Liberi and was written as if Lisa Liberi was who created it and was posting it. This disgusting website contained sexual innuendos<sup>4</sup>. In fact, the emails sent out to associates and friends of Lisa Liberi believed the emails were coming from Plaintiff Liberi. Further, Belcher was communicating back and forth with Liberi’s associates as if she was Plaintiff Liberi.

Defendants Edgar Hale and Linda Sue Belcher have threatened to harm Plaintiffs and their witnesses. Defendant Belcher threatened if Plaintiffs travel to Texas they will be sent home in pieces.

All of the Defendants have continued their illegal behaviors towards and against the Plaintiffs, which have caused Plaintiffs to suffer severe damages.

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<sup>4</sup> Lisaliberi.com contained a section with a woman wearing boots covering the woman’s knees claiming it was to protect Lisa Liberi’s knees while she was performing sexual favors for Judges, etc.

**b. Defendants' Synopsis**

**i. Edgar Hale, Caren Hale, Plains Radio Network, Inc., KPRN  
Am 1610, and Bar H Farms ["Hale Defendants"]**

Unknown, Defendants refused to cooperate.

**ii. Linda Sue Belcher a/k/a Linda Starr**

Unknown, Defendant refused to cooperate.

**2. SUBJECT MATTER JURISDICTION:**

Plaintiffs filed suit under diversity jurisdiction, 28 U.S.C. §1332(a). The Case was Severed and Transferred from Pennsylvania to Texas and California. The Hale Defendants reside in Wellington, Texas and Defendant Linda Sue Belcher resides in Castroville, Texas. Therefore, this Court has Subject Matter Jurisdiction and Personal Jurisdiction over the Defendants.

**3. PARTIES, EVIDENCE, ETC.:**

**a. Parties**

Plaintiff Evelyn Adams;

Plaintiff Lisa Liberi;

Plaintiff Lisa Ostella;

Plaintiff Philip J. Berg, Esq.;

Plaintiff Go Excel Global;

Plaintiff Law Offices of Philip J. Berg;

Defendant Edgar Hale;

Defendant Caren Hale;

Defendant Plains Radio Network, Inc.;

Defendant KPRN AM 1610; and

Defendant Bar H. Farms.

**b. Witnesses**

**Plaintiffs Witnesses:** Evelyn Adams;

Lisa Liberi;

Lisa Ostella;

Shirley Waddell;

K. Strebler;

Philip J. Berg;

Charles Edward Lincoln, III; and

Lawrence Sinclair.

Plaintiffs intend to call or cross examine Defendants Linda Belcher, Edgar

Hale and Caren Hale; and

Plaintiffs reserve the right to supplement their witness list.

**The Hale Defendants Witnesses:**

Unknown, Defendants refused to cooperate.

**Defendant Linda Sue Belcher's Witnesses:**

Unknown, Defendant refused to cooperate.

**c. Key Documents**

**Plaintiffs have identified the following documents:**

- (1) All of the Hale Defendants and Linda Sue Belcher's publications and postings regarding Plaintiffs Mrs. Adams, Mrs. Liberi, Mrs. Ostella and Mr. Berg

on their website at plainsradionetwork.com; obamacitizenshipdebate.org; and other websites; PayPal receipts Defendants Claim were stolen by Plaintiffs Ostella and Liberi; False accusations about Plaintiffs; false victimization; etc.; and the Hale Defendants Radio programs.

- (2) Defendants mass emailing's pertaining to Mrs. Adams, Mrs. Liberi, Mrs. Ostella and Mr. Berg;
- (3) False Law Enforcement Reports filed by the Defendants.
- (4) False reports filed by Defendant Linda Sue Belcher with the Santa Fe Probation Department, Social Security Administration, Federal Bureau of Investigations, San Bernardino Probation Department and the San Bernardino District Attorney's Office;
- (5) Lisa Liberi's medical records;
- (6) Lisa Ostella's bank and PayPal records;
- (7) May 28, 2009 Plains Radio Show with Neil Sankey hosted by Edgar Hale;
- (8) Misc. Radio Shows, TV shows and YouTube videos with Defendants regarding Plaintiffs Lisa Liberi, Lisa Ostella and Philip J. Berg; and
- (9) Plaintiffs reserve the right to supplement their document list.

**The Hale Defendants identify the following:**

Unknown, Defendants refused to cooperate.

**Defendant Linda Sue Belcher identifies the following:**

Unknown, Defendant refused to cooperate.

**4. Damages**

**Plaintiffs position on damages:**

Plaintiffs contend they suffered serious damages and are seeking Actual Damages; Exemplary damages pursuant to statute; General Damages; Punitive Damages; Special Damages; Civil Penalties pursuant to statute; Attorney Fees; Costs of the within action; and Interest; a Permanent Injunction preventing the illegal acts of the Defendants; and a Court Order that Defendants must remove all postings regarding any of the Plaintiffs.

**The Hale Defendants position on Damages:**

Unknown, Defendants refused to cooperate.

**Defendant Linda Sue Belcher's position on Damages:**

Unknown, Defendant refused to cooperate.

**5. Insurance**

Plaintiffs are unaware of any insurance carried by any of the Defendants.

**6. Likelihood of Motions**

**a. Plaintiffs**

Plaintiff anticipates filing Motions to Compel Discovery of electronic and other documents from all Defendants. Due to Defendants sophistication, it will be

necessary to examine all computer hard drives, servers, storage systems including any other computer which these particular Defendants have access to directly and physically due to "accidental loss" or "spoilage" of evidence, including regularly timed destruction of documents which at the present time the Court should order to cease.

Plaintiffs anticipate filing a Motion for Leave to Amend their Complaint; and a Summary Judgment Motion against all Defendants.

**b. The Hale Defendants:**

Unknown, Defendants refused to cooperate.

**c. Defendant Linda Sue Belcher:**

Unknown, Defendant refused to cooperate.

**7. MANUAL FOR COMPLEX LITIGATION:**

The Plaintiffs do not believe the instant action is a complex case. Therefore, the Plaintiffs do not believe it would be helpful to utilize the Manual of Complex Litigation in this Case.

**8. STATUS OF DISCOVERY:**

The Plaintiffs have agreed to serve their initial disclosures on or before December 30, 2011. The Plaintiffs acknowledge their duties to supplement disclosures and discovery pursuant to Federal Rules of Civil Procedure 26(e).

**9. DISCOVERY PLAN:**

**a. Numbering**

The parties agree to use a single, unified numbering system, numbering each deposition exhibit in consecutive numerical order. Plaintiffs' documents shall be numbered 1 through 3,500. Defendants' documents shall be numbered 3,501 and up.

**b. Written Discovery**

The Plaintiffs anticipate propounding interrogatories, requests for production of documents and requests for admissions.

**c. Depositions**

The Plaintiffs anticipate taking the following depositions:

Plaintiffs: Evelyn Adams;

Lisa Liberi;

Lisa Ostella;

Philip J. Berg, Esquire;

Defendants: Edgar Hale,

Caren Hale and

Linda Sue Belcher.

Plaintiffs reserve the right to take the depositions of employees familiar with the events from the Santa Fe Probation Department; Santa Fe Police Department; Federal Bureau of Investigations; Social Security Administration, San Bernardino

County Probation Department; San Bernardino County Counsel's Office; and the San Bernardino County District Attorney's Office.

The Parties anticipate the identity of third-party witnesses will be disclosed during ongoing discovery and reserve the right to depose them.

**d. Expert Witnesses**

The Plaintiffs do not anticipate the need for Expert Witnesses.

**e. Discovery Subject matter**

The Plaintiffs do not wish to conduct discovery in phases.

**f. Existing or Issues to Arise**

Plaintiffs contend that electronic discovery will be a seriously disputed discovery issue.

**g. Electronically Stored Information (Identification, Maintenance and Production Agreements/Discussions)**

The parties have not entered into any agreements about electronically stored information. Plaintiffs anticipate extensive electronic discovery.

**h. Limitations**

The Plaintiffs do not propose any changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure, and instead reserve the right to stipulate or seek an order from the Court altering the limitations imposed by the Federal Rules should the need arise.

**10. DISCOVERY CUT-OFF:**

March 5, 2012

**11. EXPERT DISCOVERY:**

The Plaintiffs propose the following schedule for expert discovery:

Initial Expert Disclosure: February 15, 2012; and

Rebuttal Expert Disclosure: February 29, 2012

**12. MOTIONS:**

**To join parties:** December 5, 2011

**To amend pleadings:** February 27, 2012

**For Summary Judgment:** March 5, 2012

**13. SETTLEMENT:**

Defendant Edgar Hale on Thursday, October 20, 2011, called Plaintiff Philip J. Berg, offering Mr. Berg \$500.00 to dismiss the entire case. Mr. Berg explained to Mr. Hale that he needed to submit all Settlement Offers in writing that and there were more Plaintiffs and he (Mr. Berg) would make sure that all Plaintiffs received the Settlement Offer. Mr. Berg explained that Plaintiffs would accept, decline or counter any offers of settlement. Mr. Berg also explained to Mr. Hale that he (Mr. Berg) could not dismiss the entire case, nor accept settlements on Plaintiffs behalf without Plaintiffs agreements and authorization of the Settlement Offer in question.

*See EXHIBIT “2”.*

As to the other Defendants, the parties have not entered into any Settlement discussions.

**14. TRIAL ESTIMATE:**

**a. Jury Trial**

The parties demand a trial by jury.

**b. Trial Estimate**

Plaintiffs anticipate a 7 day trial;

**c. Witnesses**

The number of witnesses has not yet been established for any party.

**15. TRIAL COUNSEL:**

**Plaintiffs' trial counsel:** Philip J. Berg, Esq. upon *Pro Hac Vice* admission;

**The Hale Defendants:** Unknown, Defendants refused to cooperate; and

**Defendant Linda Sue Belcher:** Unknown, Defendant refused to cooperate.

**16. INDEPENDENT EXPERT OR MASTER:**

The Plaintiffs do not anticipate the need for the Court to appoint a master pursuant to *Fed. R. Civ. P.* 53 or an independent scientific expert.

**17. TIMETABLE:**

The Plaintiffs propose the following dates:

Discovery cut-off: March 5, 2012;

Motion cut-off: April 2, 2012;  
Final Pretrial Conference: April 23, 2012; and  
Trial: May 7, 2012.

**18. OTHER ISSUES:**

At this time, the Plaintiffs do not anticipate any other issues.

**19. MEDIATION/ARBITRATION**

The Plaintiffs agree to attend either Mediation or Arbitration. Plaintiffs decline alternative dispute resolution at this time.

Respectfully submitted,

Dated: October 21, 2011

/s/ Philip J. Berg  
Philip J. Berg, Esquire for Plaintiffs  
Pennsylvania I.D. 9867  
**LAW OFFICES OF PHILIP J. BERG**  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531  
Telephone: (610) 825-3134  
E-mail: [philberg@gmail.com](mailto:philberg@gmail.com)

The Following Plaintiffs in Pro Se pending Philip J. Berg, Esquire's *Pro Hac Vice* Admission; have approved this Report's contents; and given full permission for their electronic signature to be input on the within Document. Mr. Berg maintains in his office, the originally signed copies by each of the following Plaintiffs:

Dated: October 21, 2011

/s/ Evelyn Adams   
PLAINTIFF EVELYN ADAMS  
c/o Philip J. Berg, Esquire  
**LAW OFFICES OF PHILIP J. BERG**  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October 21, 2011

/s/ Lisa Ostella *L.M.O.*  
LISA OSTELLA and  
GO EXCEL GLOBAL, Plaintiffs  
c/o Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October 21, 2011

/s/ Lisa Liberi *L.L.*  
LISA LIBERI, Plaintiff  
c/o Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

**DEFENDANTS:**

Dated: October \_\_\_, 2011

DEFENDANT EDGAR HALE  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

DEFENDANT CAREN HALE  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

DEFENDANT, PLAINS RADIO  
NETWORK, INC.  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

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DEFENDANT KPRN AM 1610  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

---

DEFENDANT BAR H FARMS  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

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DEFENDANT LINDA BELCHER  
201 Paris  
Castroville, Texas 78009

## **EXHIBIT “1”**

From: Philip Berg <philjberg@gmail.com>  
Date: Wed, Oct 19, 2011 at 9:47 PM  
Subject: Fed. R. Civ. P. 26(f) Conference  
To: plains.radio@yahoo.com, ed@plainsradio.com, barhfarms@gmail.com, ed@voabn.com, starrbuzz@sbcglobal.net, Newwomensparty@aol.com, caren156@gmail.com

**Defendant Linda Sue Belcher  
Defendant KPRN AM 1610  
Defendant Edgar Hale  
Defendant Caren Hale  
Defendant Plains Radio Network, Inc.  
Defendant Bar H Farms**

**Re: Federal Rules of Civil Procedure 26(f) Conference**

**To all Defendants,**

Pursuant to the Court's Order of September 2, 2011, Docket No. 193, I am writing to you to set a telephone conference for Thursday, October 20, 2011 at noon Eastern Standard Time. I can be reached on my office line [\(610\) 825-3134](tel:(610)825-3134) or on my cell [\(610\) 662-3005](tel:(610)662-3005). If you would like me to call you, please provide a number you will be available at Noon, October 20, 2011. If you are unavailable, I request a call or a return email informing me of the dates you are available so we can conduct our conference pursuant to the requirements of Federal Rules of Civil Procedure ["*Fed. R. Civ. P.*"] 26(f) and as Ordered by the Court. Time is of the essence so the Joint Report can be filed.

All Plaintiffs have conferred regarding the attached Joint Report. I have attached a proposed Joint Report for the Scheduling hearing. I have not provided any responses on behalf of the Defendants. This is up to you to read the Proposed Joint Report carefully and fill in your own response so it can be combined and one Report is filed. You will see blanks where the Defendants responses are to be input. I have also included dates, some of which were taken directly from the Court's Order of September 2, 2011. If you do not agree with the dates, you must so inform me. This is the purpose of conference, so Defendants can state their responses; dates they prefer, etc.

You are required pursuant to the *Fed. R. Civ. P.*'s and Court Ordered to participate. If I do not hear from you by noon tomorrow, October 20, 2011, then I will file our Proposed Joint Report at 5:00 p.m. Eastern Standard Time, and include your refusal to cooperate.

**So you understand what a conference pertains to, *Fed. R. Civ. P.* 26(f) states:**

**(f) Conference of the Parties; Planning for Discovery**

**(1) Conference Timing.**

**Except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B) or when the court orders otherwise, the parties must confer as soon as practicable — and in any event at least 21 days before a scheduling conference is to be held or a scheduling order is due under Rule 16(b).**

**(2) Conference Content; Parties' Responsibilities.**

**In conferring, the parties must consider the nature and basis of their claims and defenses and the possibilities for promptly settling or resolving the case; make or arrange for the disclosures required by Rule 26(a)(1); discuss any issues about preserving discoverable information; and develop a proposed discovery plan. The attorneys of record and all unrepresented parties that have appeared in the case are jointly responsible for arranging the conference, for attempting in good faith to agree on the proposed discovery plan, and for submitting to the court within 14 days after the conference a written report outlining the plan. The court may order the parties or attorneys to attend the conference in person.**

**Please let me know should you have any questions.**

**Respectfully,**

**Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531**

**Ph: [\(610\) 825-3134](#)**

**Fx: [\(610\) 834-7659](#)**

**Cell: [\(610\) 662-3005](#)**

**Email: [philjberg@gmail.com](mailto:philjberg@gmail.com)**

**cc: Plaintiffs, Evelyn Adams, Lisa Ostella and Lisa Liberi**

Philip J. Berg, Esquire  
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*Attorney in pro se and for Plaintiffs  
upon Pro Hac Vice Admission*

Evelyn Adams, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS,  
AMARILLO DIVISION**

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LISA LIBERI, et al

Plaintiffs,

vs.

LINDA SUE BELCHER, et al,

Defendants.

CIVIL ACTION NUMBER:

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Pursuant to Federal Rules of Civil Procedure [“Fed. R. Civ. P.”] 26(f), and this Court’s Order of September 2, 2011, the parties hereby submit their joint report of the early meeting of counsel, conducted on October\_\_\_\_\_, 2011.

## **1. STATEMENT OF THE CASE**

### **a. Plaintiffs Synopsis**

Plaintiffs, Evelyn Adams[“Adams”], Lisa Liberi [“Liberi”], Lisa Ostella [“Ostella”], Philip J. Berg, Esq [“Berg”], Go Excel Global and the Law Offices of Philip J. Berg brought suit against Defendants, Edgar Hale, Caren Hale, Plains Radio Network, Inc. [“Plains Radio”], Bar H Farms, KPRN AM 1610 [“Hale Defendants”], Linda Sue Belcher a/k/a Linda Starr [“Belcher”] for permanent Injunctive relief enjoining the Defendants from access any type of publications on the Internet, on the Radio, on website forums, private internet networks, public internet networks; the publication of Plaintiffs’ private data; Invasion of Privacy; Invasion of Plaintiffs rights to Solitude; Placing Plaintiffs in a False Light; Disclosure of Private facts; Cyber-bullying; Cyber-stalking; Cyber-Harassment; Slander; Libel; Defamation; Intentional Infliction of Emotional Distress; and to enjoin all the Defendants’ unlawful conduct; recovery of actual damages; statutory damages; punitive damages and other damages for Defendants’ unlawful acts, disgorgement of all unjust gains and attorney fees and costs.

Defendants Edgar and Caren Hale run an Internet Radio show which also airs on AM radio channels by and through Plains Radio Network, Inc. KPRN AM 1610, and Bar H. Farms.

Ms. Adams for a short month co-hosted with Defendant Edgar Hale on his radio show, Plains Radio Network, Inc. Mr. Berg appeared on the Hale Defendants radio programs a few times. Plaintiff Adams was going to have a guest on the radio show, Lawrence Sinclair, and Defendant Hale wanted Plaintiff Adams to falsify a story about Mr. Sinclair. Plaintiff Adams refused and decided to leave Plains Radio as a result thereto.

Defendants Edgar and Caren Hale began spreading false rumors that they had procured and paid the expenses in procuring an International Birth Certificate for our now sitting President, Barack Obama and stated they provided the original documents to Mr. Berg. Of course, this was untrue. It was also brought to Mr. Berg's attention that the Hale Defendants were collecting monies they claimed was for Mr. Berg and his litigation. But, Mr. Berg never received any of the proceeds, nor did he ever give permission for the Hale Defendants to collect money on his behalf. As a result thereto, Mr. Berg refused to go on any further radio shows of the Hale Defendants or have anything to do with the Hale Defendants.

The Hale Defendants began posting all over the Internet and stating on radio shows that Plaintiff Evelyn Adams was a thief, a whore, a bitch, and stated Mrs.

Adams would sleep with anyone for a dollar. The Hale Defendants also began falsely accusing Evelyn Adams of stealing their “Obama” Divorce papers. The Hale Defendants put out a “criminal record” of a woman also named Evelyn Adams, stating it was that of Plaintiff Evelyn Adams herein. Further, the Hale Defendants put out Plaintiff Adams home number and had people calling, harassing, threatening and showing up at Mrs. Adams residence.

In addition, the Hale Defendants began posting all over the Internet and on Radio Shows that Plaintiff Berg was a thief, a drunk, that Mr. Berg spent all his money at bars, Mr. Berg stole Obama Divorce papers from them (the Hale Defendants), that Plaintiffs Berg and Adams were under investigation and going to be arrested and jailed under the Racketeering Influenced Corrupt Organization [“RICO”] crime statutes.

Mrs. Adams hired Mr. Berg’s and his firm to send Defendant Edgar Hale a Cease and Desist to stop the slander on the Internet. A Cease and Desist was sent to the Hale Defendants, but this did not stop them from their illegal acts which damaged Plaintiffs Adams and Berg.

Shortly thereafter, Defendant Edgar Hale filed a false lawsuit against Evelyn Adams in Wellington, Texas claiming Plaintiff Adams stole the “Obama v. Obama” Divorce papers. Mrs. Adams hired Mr. Berg and his firm to represent her, and the case was dismissed with prejudice.

Instead of stopping the illegal acts, the Hale Defendants began harassing Mr. Berg's paralegal, Lisa Liberi. The Hale Defendants obtained an illegal background check on Mrs. Liberi, and began posting on the Internet Mrs. Liberi's signature with documents that contained Plaintiff Liberi's full Social Security number, and discussing on radio programs a loan Mrs. Liberi had just taken out, that Mrs. Liberi was stealing money from Orly Taitz<sup>1</sup>, that Liberi was convicted in 100 and 200 criminal counts, that Mrs. Liberi was a fraud, that Lisa Liberi, Adams, Lisa Ostella and Philip J. Berg, Esquire were "scamming" people, etc.

This is also the same time the Hale Defendants went after Plaintiff Lisa Ostella. The Hale Defendants were accusing Plaintiff Ostella of stealing monies from Orly Taitz, from "locking" Orly Taitz out of her website, of being the same person as Lisa Liberi, that Lisa Ostella had a "criminal record", that Lisa Ostella stole Orly Taitz' website, etc.

Linda Belcher was a volunteer for Mr. Berg on his website. Belcher would approve posts, ban problem posters, etc. However, Belcher's behavior became unruly and therefore her moderator and administrator accesses were removed. Belcher began sending out emails to everyone located on Mr. Berg's website database falsely accusing Plaintiff Liberi of deleting Mr. Berg's emails, controlling

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<sup>1</sup> Orly Taitz is an attorney and Dentist being sued by Plaintiffs Lisa Liberi, Lisa Ostella and Philip J. Berg in the U.S. District Court, Central District of California, Southern Division, Liberi, et al v. Taitz, et al, Case No. 8:11-cv-00485 AG. This is the other half of this case which was severed and transferred from Pennsylvania to Texas and California.

Mr. Berg, erasing phone messages of Mr. Bergs, stealing from Mr. Berg, and falsely claiming Plaintiff Liberi and Mr. Berg were “harassing, slandering, libeling and defaming” her.

The Hale Defendants teamed up with Defendant Linda Belcher and Orly Taitz. Belcher began going on the Hale Defendants Radio shows accusing Plaintiffs Liberi and Berg of harassing her, stating Liberi was handling credit cards on behalf of Mr. Berg, that Liberi was stealing monies from Orly Taitz and Mr. Berg, the Hale Defendants and Belcher were making fun of Liberi stating she was going to have another heart attack, that Liberi was going to be arrested, that Liberi was committing Social Security Fraud. In fact, Belcher filed false complaints against Plaintiff Liberi with the Social Security Administration, Belcher filed false reports against Liberi with the Federal Bureau of Investigations in San Antonio, Texas, Belcher put out Liberi’s home address and telephone number, Belcher had people calling and harassing Liberi and her family, was falsely accusing Liberi of sending out emails and posts slandering, libeling and defaming her (Belcher), when it was Belcher and the Hale Defendants conducting these illegal acts against the Plaintiffs. It should be noted, Plaintiff Lisa Liberi is not a blogger, does not have a

website, and other than Mr. Berg's website on Mr. Berg's behalf,<sup>2</sup> Liberi does not belong to or post on forums.

Belcher also filed false law enforcement reports against Liberi claiming Liberi was accessing Mr. Berg's donators' credit cards, stealing monies from Mr. Berg, stealing from Orly Taitz, committing fraud on the Courts, perjury, etc. Belcher also called Plaintiff Lisa Ostella claiming to be calling from Cyber Crimes Office in San Antonio, Texas. Belcher also joined teams with one of Orly Taitz's clients, Neil Turner and sent Plaintiff Liberi's family photo<sup>3</sup>, home address and telephone number to white supremacy groups, armed militia groups and other dangerous individuals and hate groups calling Plaintiff Liberi a "Blood Red Herring".

Belcher than teamed up with her friend of 20 years, Geoff Staples. The two along with the Hale Defendants and Orly Taitz set-up a website in Plaintiff Liberi's name, lisaliberi.com. Belcher sent out emails from an email address they set up, [convictedfelon@lisaliberi.com](mailto:convictedfelon@lisaliberi.com) to everyone on Liberi's AOL address book stating "love your new site", signed convicted felon. The emails were sent to individuals, including attorney's Plaintiff Liberi interns with. This website contained a picture of Plaintiff Liberi and was written as if Lisa Liberi was who created it and was

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<sup>2</sup> Lisa Liberi at the request of Philip J. Berg, Esquire did post information on Mr. Berg's website on Mr. Berg's behalf on a few occasions.

<sup>3</sup> Orly Taitz illegally obtained a family picture of Lisa Liberi and provided it to the Defendants herein.

posting it. This disgusting website contained sexual innuendos<sup>4</sup>. In fact, the emails sent out to associates and friends of Lisa Liberi believed the emails were coming from Plaintiff Liberi. Further, Belcher was communicating back and forth with Liberi's associates as if she was Plaintiff Liberi.

Defendants Edgar Hale and Linda Sue Belcher have threatened to harm Plaintiffs and their witnesses. Defendant Belcher threatened if Plaintiffs travel to Texas they will be sent home in pieces.

All of the Defendants have continued their illegal behaviors towards and against the Plaintiffs, which have caused Plaintiffs to suffer severe damages.

**b. Defendants' Synopsis**

i. **Edgar Hale, Caren Hale, Plains Radio Network, Inc., KPRN Am 1610, and Bar H Farms ["Hale Defendants"]**

ii. **Linda Sue Belcher a/k/a Linda Starr**

**2. SUBJECT MATTER JURISDICTION**

Plaintiffs filed suit under diversity jurisdiction, 28 U.S.C. §1332(a). The Case was Severed and transferred from Pennsylvania to Texas and California. The

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<sup>4</sup> Lisaliberi.com contained a section with a woman wearing boots covering the woman's knees claiming it was to protect Lisa Liberi's knees while she was performing sexual favors for Judges, etc.

Hale Defendants reside in Wellington, Texas and Defendant Linda Sue Belcher resides in Castroville, Texas. Therefore, this Court has Subject Matter Jurisdiction and Personal Jurisdiction over the Defendants.

**3. PARTIES, EVIDENCE, ETC.**

**a. Parties**

Plaintiff Evelyn Adams;

Plaintiff Lisa Liberi;

Plaintiff Lisa Ostella;

Plaintiff Philip J. Berg, Esq.;

Plaintiff Go Excel Global;

Plaintiff Law Offices of Philip J. Berg;

Defendant Edgar Hale;

Defendant Caren Hale;

Defendant Plains Radio Network, Inc.;

Defendant KPRN AM 1610; and

Defendant Bar H. Farms.

**b. Witnesses**

**Plaintiffs Witnesses:**

Evelyn Adams;

Lisa Liberi;

Lisa Ostella;

Shirley Waddell;

K. Strebel;

Philip J. Berg;

Charles Edward Lincoln, III

Lawrence Sinclair;

Peyton Freeman;

Plaintiffs intend to call or cross examine Defendants Linda Belcher, Edgar Hale and Caren Hale

Plaintiffs reserve the right to supplement their witness list.

### **The Hale Defendants Witnesses:**

### **Defendant Linda Sue Belcher's Witnesses:**

#### **c. Key Documents**

#### **Plaintiff has identified the following documents:**

- (1) All of the Hale Defendants and Linda Sue Belcher's publications and postings regarding Plaintiffs Mrs. Adams, Mrs. Liberi, Mrs. Ostella and Mr. Berg on their website at [plainsradionetwork.com](http://plainsradionetwork.com); [obamacitizenshipdebate.org](http://obamacitizenshipdebate.org); and

other websites; PayPal receipts Defendants Claim were stolen by Plaintiffs Ostella and Liberi; False accusations about Plaintiffs; false victimization; etc.; and the Hale Defendants Radio programs.

(2) Defendants mass emailing's pertaining to Mrs. Adams, Mrs. Liberi, Mrs. Ostella and Mr. Berg;

(3) False Law Enforcement Reports.

(4) False reports filed by Defendant Linda Sue Belcher with the Santa Fe Probation Department, Social Security Administration, Federal Bureau of Investigations, San Bernardino Probation Department and the San Bernardino District Attorney's Office;

(5) Lisa Liberi's medical records;

(6) Lisa Ostella's bank and PayPal records;

(7) May 28, 2009 Plains Radio Show with Neil Sankey hosted by Edgar Hale;

(8) Misc. Radio Shows, TV shows and Youtube videos with Defendants regarding Plaintiffs Lisa Liberi, Lisa Ostella and Philip J. Berg;

**The Hale Defendants identify the following:**

**Defendant Linda Sue Belcher identify the following:**

#### **4. Damages**

**Plaintiffs position on damages:**

Plaintiffs contend they suffered serious damages and are seeking Actual Damages; Exemplary damages pursuant to statute; General Damages; Punitive Damages; Special Damages; Civil Penalties pursuant to statute; Attorney fees; Costs of the within action; and Interest; a Permanent Injunction preventing the illegal acts of the Defendants; and a Court Order that Defendants must remove all postings regarding any of the Plaintiffs.

**The Hale Defendants position on Damages:**

**Defendant Linda Sue Belcher's position on Damages:**

**5. Insurance**

Plaintiffs are unaware of any insurance carried by any of the Defendants.

**6. Likelihood of Motions**

**a. Plaintiff**

Plaintiff anticipates filing Motions to Compel Discovery of electronic and other documents from all Defendants. Due to Defendants sophistication, it will be necessary to examine all computer hard drives, servers, storage systems including any other computer which these particular Defendants have access to directly and physically due to "accidental loss" or "spoilage" of evidence, including regularly

timed destruction of documents which at the present time the Court should order to cease.

Plaintiffs anticipate filing a Motion for Leave to Amend their Complaint; and a Summary Judgment Motion against all Defendants.

**b. The Hale Defendants:**

**c. Defendant Linda Sue Belcher:**

**7. MANUAL FOR COMPLEX LITIGATION**

The parties do not believe the instant action is a complex case. Therefore, the parties do not believe it would be helpful to utilize the Manual of Complex Litigation in this Case.

**8. STATUS OF DISCOVERY**

The parties have agreed to serve their initial disclosures on or before December 30, 2011. The parties acknowledge their duties to supplement disclosures and discovery pursuant to Federal Rules of Civil Procedure 26(e).

**9. DISCOVERY PLAN**

**a. Numbering**

The parties agree to use a single, unified numbering system, numbering each deposition exhibit in consecutive numerical order. Plaintiffs' documents shall be

numbered 1 through 3,500. Defendants' documents shall be numbered 3,501 and up.

**b. Written Discovery**

The parties anticipate propounding interrogatories, requests for production of documents, and requests for admissions.

**c. Depositions**

The parties anticipate taking the following depositions: Plaintiffs Evelyn Adams, Lisa Liberi, Lisa Ostella, Philip J. Berg, Esquire, Defendants Edgar Hale, Caren Hale and Linda Sue Belcher.

Plaintiffs reserve the right to take the depositions of employees familiar with the events from the Santa Fe Probation Department; Santa Fe Police Department; Federal Bureau of Investigations; Social Security Administration, San Bernardino County Probation Department; San Bernardino County Counsel's Office; and the San Bernardino County District Attorney's Office.

The Parties anticipate the identity of third-party witnesses will be disclosed during ongoing discovery and reserve the right to depose them.

**d. Expert Witnesses**

The parties do not anticipate the need for Expert Witnesses.

**e. Discovery Subject matter**

The Parties do not wish to conduct discovery in phases.

**f. Existing or Issues to Arise**

Plaintiffs contend that electronic discovery will be a seriously disputed discovery issue.

**g. Electronically Stored Information (Identification,  
Maintenance and Production Agreements/Discussions)**

The parties have not entered into any agreements about electronically stored information. Plaintiffs anticipate extensive electronic discovery.

**h. Limitations**

The parties do not propose any changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure, and instead reserve the right to stipulate or seek an order from the Court altering the limitations imposed by the Federal Rules should the need arise.

**10. DISCOVERY CUT-OFF**

March 5, 2012

**11. EXPERT DISCOVERY**

The parties propose the following schedule for expert discovery:

Initial Expert Disclosure: February 15, 2012; and

Rebuttal Expert Disclosure: February 29, 2012

**12. MOTIONS**

**To join parties:** December 5, 2011

**To amend pleadings:** February 27, 2011

**For Summary Judgment:** March 5, 2012

**13. SETTLEMENT**

The parties have not entered into any Settlement discussions.

**14. TRIAL ESTIMATE**

**a. Jury Trial**

The parties demand a trial by jury.

**b. Witnesses**

The number of witnesses has not yet been established for any party.

**15. TRIAL COUNSEL**

Plaintiffs' trial counsel: Philip J. Berg, Esq. upon *pro hac vice* admission.

The Hale Defendants: \_\_\_\_\_; and

Defendant: \_\_\_\_\_

**16. INDEPENDENT EXPERT OR MASTER**

The parties do not anticipate the need for the Court to appoint a master pursuant to *Fed. R. Civ. P.* 53 or an independent scientific expert.

**17. TIMETABLE**

The parties propose the following dates:

Discovery cut-off: March 05, 2012;

Motion cut-off: April 02, 2012;

Final Pretrial Conference: April 23, 2012; and

Trial: May 07, 2012.

## **18. OTHER ISSUES**

At this time, the Parties do not anticipate any other issues.

Respectfully submitted,

Dated: October 17, 2011

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Philip J. Berg, Esquire for Plaintiffs  
Pennsylvania I.D. 9867  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531  
Telephone: (610) 825-3134  
E-mail: [philjberg@gmail.com](mailto:philjberg@gmail.com)

Dated: October 17, 2011

---

PLAINTIFF EVELYN ADAMS  
C/O Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October 17, 2011

---

LISA OSTELLA and  
GO EXCEL GLOBAL, Plaintiffs  
C/O Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October 17, 2011

---

LISA LIBERI, Plaintiff  
C/O Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October \_\_\_, 2011

---

DEFENDANT EDGAR HALE  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

---

DEFENDANT CAREN HALE  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

---

DEFENDANT, PLAINS RADIO  
NETWORK, INC.  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

---

DEFENDANT KPRN AM 1610  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

---

DEFENDANT BAR H FARMS  
1401 Bowie  
Wellington, Texas 79095

Dated: October \_\_\_, 2011

---

DEFENDANT LINDA BELCHER  
201 Paris  
Castroville, Texas 78009

Philip J. Berg, Esquire  
Pennsylvania I.D. 9867  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
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Telephone: (610) 825-3134  
E-mail: [philjberg@gmail.com](mailto:philjberg@gmail.com)

*Attorney in pro se and for Plaintiffs  
upon Pro Hac Vice Admission*

Evelyn Adams, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

Lisa Ostella and  
Go Excel Global, Plaintiffs  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

Lisa Liberi, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS,  
AMARILLO DIVISION**

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LISA LIBERI, et al

Plaintiffs,

vs.

LINDA SUE BELCHER, et al,

Defendants.

CIVIL ACTION NUMBER:

**2:11-cv-090-J**

**CERTIFICATE OF SERVICE**

Date of Hearing:  
Time of Hearing:  
Location:

I, Philip J. Berg, Esquire, hereby certify a true and correct copy of the Fed. R. Civ. P. 26(f) Joint Report were served through the U.S. Postal Service with Postage fully prepaid as indicated below, this \_\_\_\_ day of October 2011 upon the following:

Edgar Hale  
Caren Hale  
Plains Radio Network, Inc.  
KPRN AM 1610  
Bar H Farms, Inc.  
1401 Bowie Street  
Wellington, Texas 79095  
Signature Confirmation

Linda Sue Belcher  
201 Paris Street  
Castroville, TX 78009  
Signature Confirmation

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PHILIP J. BERG, ESQUIRE

## **EXHIBIT “2”**

From: Philip Berg <philjberg@gmail.com>  
Date: Thu, Oct 20, 2011 at 2:46 PM  
Subject: Stipulation to continue due date for Joint 26(f) Report  
To: plains.radio@yahoo.com, ed@plainsradio.com, barhfarms@gmail.com, ed@voabn.com, starrbuzz@sbcglobal.net, Newwomensparty@aol.com, caren156@gmail.com

**October 20, 2011**

**Defendant Linda Sue Belcher  
Defendant KPRN AM 1610  
Defendant Edgar Hale  
Defendant Caren Hale  
Defendant Plains Radio Network, Inc.  
Defendant Bar H Farms**

**Re: Stipulation to continue the due date for the Joint 26(f) Scheduling Report**

**To all Defendants,**

**Due to the health complications Defendants Linda Sue Belcher and Edgar Hale have and are suffering, Plaintiffs have agreed to continue the due date for the Joint Report. I have prepared a stipulated agreement to have the deadline for the Joint 26(f) Scheduling Conference Report continued to November 4, 2011. Please review the attached document. If in agreement to the continuance, please fax or email the signature page back to my office. My fax number is (610) 834-7659. For the Hale Defendants, the authorized signer for Bar H. Farms, Plains Radio Network, Inc., and KPRN AM 1610 must also sign in the places designated. If I do not hear back from you by 5:00 p.m. Eastern Standard Time, I will file the stipulation and inform the Court of the refusal to cooperate.**

**During the attempted conference today, Defendants stated they do not agree with the Plaintiffs synopsis. Defendant Linda Belcher refused to cooperate and Mr. Hale stated he would need 3 days to complete his portion. The Joint Scheduling Report is not based on whether the parties agree are not with each others synopsis. This is why there is a place for each Defendant to input their synopsis of the case. I had included the Federal Rules pertaining to Joint Scheduling Reports, and have included it again below.**

As to Defendant Edgar Hale's questions and statements to me, if a Defendant wishes to submit a settlement offer, they must do so in writing. I will then make sure all Plaintiffs have a copy. Plaintiffs will either agree, decline or counter the offer of settlement. It is improper to make demands upon me as to the entirety of the case, as there are other Plaintiffs in this case. I am not at liberty to accept an agreement or an Offer of Settlement on their behalf, until they have reviewed the offer and given me full permission.

As for Defendant Belcher's email to me, Defendants must cooperate with the Joint Scheduling Report or file the proper Motions with the Court for further continuances and/or Relief. Pursuant to the Court's earlier Rulings, Defendants must comply with the Federal Rules of Civil Procedure and the Court's Local Rules.

So you understand what a conference pertains to, *Fed. R. Civ. P. 26(f)* states:

**(f) Conference of the Parties; Planning for Discovery**

**(1) Conference Timing.**

Except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B) or when the court orders otherwise, the parties must confer as soon as practicable — and in any event at least 21 days before a scheduling conference is to be held or a scheduling order is due under Rule 16(b).

**(2) Conference Content; Parties' Responsibilities.**

In conferring, the parties must consider the nature and basis of their claims and defenses and the possibilities for promptly settling or resolving the case; make or arrange for the disclosures required by Rule 26(a)(1); discuss any issues about preserving discoverable information; and develop a proposed discovery plan. The attorneys of record and all unrepresented parties that have appeared in the case are jointly responsible for arranging the conference, for attempting in good faith to agree on the proposed discovery plan, and for submitting to the court within 14 days after the conference a written report outlining the plan. The court may order the parties or attorneys to attend the conference in person.

Please don't hesitate contacting my office should you have any questions.

Respectfully,

**Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531  
Ph: [\(610\) 825-3134](tel:(610)825-3134)  
Fx: [\(610\) 834-7659](tel:(610)834-7659)  
Cell: [\(610\) 662-3005](tel:(610)662-3005)  
Email: [philjberg@gmail.com](mailto:philjberg@gmail.com)**

**cc: Plaintiffs, Evelyn Adams, Lisa Ostella and Lisa Liberi**

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 [Adams, Stipulation to Continue date for 26\(f\) Report 10 .pdf](#)  
403K [View](#) [Download](#)

Philip J. Berg, Esquire  
Pennsylvania I.D. 9867  
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*Attorney in pro se and for Plaintiffs  
upon Pro Hac Vice Admission*

Evelyn Adams, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

Lisa Ostella and  
Go Excel Global, Plaintiffs  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

Lisa Liberi, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS,  
AMARILLO DIVISION**

---

LISA LIBERI, et al

Plaintiffs,

vs.

LINDA SUE BELCHER, et al,

Defendants.

CIVIL ACTION NUMBER:

**2:11-cv-090-J**

**STIPULATION TO CONTINUE  
THE DATE DUE FOR THE  
PARTIES RULE 26(f) JOINT  
REPORT**

**AND NOW**, this 20<sup>th</sup> day of October, 2011, it is hereby stipulated and agreed by and between Plaintiffs, Evelyn Adams, Lisa Liberi, Lisa Ostella, Philip J. Berg, Esquire, Law Offices of Philip J. Berg and Go Excel Global [“Plaintiffs”] and Defendants Linda Sue Belcher, Edgar Hale, Caren Hale, Bar H. Farms, Plains Radio Network, Inc., and KPRN AM 1610 [“Defendants”] to continue the date due for the Parties Joint 26(f) Report to November 4, 2011 based upon the following:

1. This Court issued an Order on September 2, 2011, Docket No. 193 that the parties Joint 26(f) Scheduling Report was due to be filed on or before October 17, 2011;

2. Defendants, Edgar Hale and Linda Sue Belcher have been suffering from severe medical complications resulting in their hospitalizations.

3. As a result thereto, the parties have been unable to complete their Rule 26(f) Joint Report.

4. For this reason, Plaintiffs have agreed and stipulated with the Defendants to continue the date due of the Joint 26(f) Report, upon this Court’s approval, from October 17, 2011 to November 4, 2011.

5. It is hereby Stipulated and Agreed between Plaintiffs and Defendants that the Joint 26(f) Report will be due on or before November 4, 2011. Defendants will provide Plaintiffs with their synopsis; witnesses they intend to call; documents Defendants intend to use; and their agreement to all dates outlined, including the

date due for Initial Disclosures on or before Tuesday, November 1, 2011, so Plaintiffs have time to update the 26(f) Report accordingly and all parties have time to review and sign the Joint Report.

**IT IS SO STIPULATED:**

Respectfully submitted,

Dated: October 20, 2011

/s/ Philip J. Berg  
Philip J. Berg, Esquire for Plaintiffs  
Pennsylvania I.D. 9867  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531  
Telephone: (610) 825-3134  
E-mail: [philjberg@gmail.com](mailto:philjberg@gmail.com)

The Following Plaintiffs in Pro Se pending Mr. Berg's *Pro Hac Vice* Admission, have given full permission for their electronic signature to be input on the within document. Further, Mr. Berg maintains in his office, the originally signed copies by each of the following Plaintiffs:

Dated: October 20, 2011

/s/ Evelyn Adams   
PLAINTIFF EVELYN ADAMS  
C/O Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October 20, 2011

/s/ Lisa Ostella   
LISA OSTELLA and  
GO EXCEL GLOBAL, Plaintiffs  
C/O Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Dated: October 20, 2011

/s/ Lisa Liberi   
LISA LIBERI, Plaintiff  
C/O Philip J. Berg, Esquire  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

Defendants:

Dated: October 20, 2011

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Defendant EDGAR HALE  
1401 Bowie  
Wellington, Texas 79095

Dated: October 20, 2011

---

Defendant CAREN HALE  
1401 Bowie  
Wellington, Texas 79095

Dated: October 20, 2011

---

Defendant, PLAINS RADIO  
NETWORK, INC.  
1401 Bowie  
Wellington, Texas 79095

Dated: October 20, 2011

---

Defendant KPRN AM 1610  
1401 Bowie  
Wellington, Texas 79095

Dated: October 20, 2011

---

Defendant BAR H FARMS  
1401 Bowie  
Wellington, Texas 79095

Dated: October 20, 2011

---

Defendant LINDA BELCHER  
201 Paris  
Castroville, Texas 78009

**IT IS SO ORDERED:**

**BY THE COURT:**

---

MARY LOU ROBINSON  
United States District Court Judge

Philip J. Berg, Esquire  
Pennsylvania I.D. 9867  
LAW OFFICES OF PHILIP J. BERG  
555 Andorra Glen Court, Suite 12  
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*Attorney in pro se and for Plaintiffs  
upon Pro Hac Vice Admission*

Evelyn Adams, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

Lisa Ostella and  
Go Excel Global, Plaintiffs  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

Lisa Liberi, Plaintiff  
c/o Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531

*Plaintiffs in pro se pending Philip J.  
Berg, Esquire's Pro Hac Vice  
Admission*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS,  
AMARILLO DIVISION**

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LISA LIBERI, et al

Plaintiffs,

vs.

LINDA SUE BELCHER, et al,

Defendants.

CIVIL ACTION NUMBER:

**2:11-cv-090-J**

**CERTIFICATE OF SERVICE**

Date of Hearing:

Time of Hearing:

Location:

I, Philip J. Berg, Esquire, hereby certify a true and correct copy of the Stipulated Agreement for a Continuance of the date for filing the Joint 26(f) Scheduling Report was served through email as indicated below, this 20<sup>th</sup> day of October 2011 upon the following:

Edgar Hale  
Caren Hale  
Plains Radio Network, Inc.  
KPRN AM 1610  
Bar H Farms, Inc.  
1401 Bowie Street  
Wellington, Texas 79095  
Email: [plains.radio@yahoo.com](mailto:plains.radio@yahoo.com),  
[ed@plainsradio.com](mailto:ed@plainsradio.com),  
[barhfarms@gmail.com](mailto:barhfarms@gmail.com),  
[ed@voabn.com](mailto:ed@voabn.com), and  
[caren156@gmail.com](mailto:caren156@gmail.com)

Linda Sue Belcher  
201 Paris Street  
Castroville, TX 78009  
Email: [newwomensparty@aol.com](mailto:newwomensparty@aol.com) and  
[starrbuzz@sbcglobal.net](mailto:starrbuzz@sbcglobal.net)

/s/ Philip J. Berg  
PHILIP J. BERG, ESQUIRE

## **EXHIBIT “3”**

From: Philip Berg <philjberg@gmail.com>  
Date: Thu, Oct 20, 2011 at 10:19 PM  
Subject: Joint 26(f) Report, Liberi, et al v. Belcher, et al  
To: plains.radio@yahoo.com, ed@plainsradio.com, barhfarms@gmail.com, ed@voabn.com, starrbuzz@sbcglobal.net, Newwomensparty@aol.com, caren156@gmail.com

**October 20, 2011**

**Defendant Linda Sue Belcher  
Defendant KPRN AM 1610  
Defendant Edgar Hale  
Defendant Caren Hale  
Defendant Plains Radio Network, Inc.  
Defendant Bar H Farms**

**Re: Liberi, et al v. Belcher, et al, Case No. 2:11-cv-090-J**

**To all Defendants,**

**I forwarded all Defendants the Proposed Joint 26(f) Scheduling Report for review and for each Defendant to input their Synopsis and other information. In addition, I sent Defendants the Federal Rules of Civil Procedure 26(f) to understand what was entailed in the Joint Report. I also set a conference to discuss the dates and the Synopsis of both sides, so we could complete the Report and file it pursuant to the Court's September 2, 2011 Order. Unfortunately, the conference was unproductive.**

**Defendants Edgar Hale and Linda Belcher stated that they had suffered medical complications which required prior hospitalizations.**

**Based on Defendants Edgar Hale and Linda Belcher's statements regarding their health, I prepared a stipulated agreement, which all Plaintiffs agreed with, for an Extension of Time to file the Joint Report. I sent the Stipulation to all Defendants and asked them if they agreed, to please return the signed page of the Stipulation back to me by email or fax, no later than 5:00 p.m. October 20, 2011, so I could file it with the Court.**

**I did not hear back from any of the Defendants, I did not receive the signed Stipulation pages, nor did I receive the required information from any Defendant to complete the Joint Report.**

**Therefore, if I do not receive the signed agreement for the Stipulation to Extend Time to File the Joint Report or Defendants information to complete the Joint Report by noon Friday, October 21, 2011, Eastern Standard Time, Plaintiffs will file their 26(f) Scheduling Report and inform the Court of our (Plaintiffs') attempts to accommodate the Defendants as a result of their health issues; and the Defendants refusal to cooperate with the Report, as Court Ordered, or the Stipulation for an Extension of Time to file the Joint Report.**

Respectfully,

**Philip J. Berg, Esquire  
555 Andorra Glen Court, Suite 12  
Lafayette Hill, PA 19444-2531  
Ph: [\(610\) 825-3134](tel:(610)825-3134)  
Fx: [\(610\) 834-7659](tel:(610)834-7659)  
Cell: [\(610\) 662-3005](tel:(610)662-3005)  
Email: [philjberg@gmail.com](mailto:philjberg@gmail.com)**

**cc: Plaintiffs, Evelyn Adams, Lisa Ostella and Lisa Liberi**

Philip J. Berg, Esquire  
Pennsylvania I.D. 9867  
**LAW OFFICES OF PHILIP J. BERG**  
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*Attorney in pro se and for Plaintiffs  
upon Pro Hac Vice Admission*

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Defendants.

CIVIL ACTION NUMBER:

**2:11-cv-090-J**

**CERTIFICATE OF SERVICE**

Date of Hearing:  
Time of Hearing:  
Location:

I, Philip J. Berg, Esquire, hereby certify a true and correct copy of Plaintiffs *Fed. R. Civ. P.* 26(f) Joint Report was served through the U.S. Postal Service with Postage fully prepaid as indicated below, this 21<sup>st</sup> day of October 2011 upon the following:

Edgar Hale  
Caren Hale  
Plains Radio Network, Inc.  
KPRN AM 1610  
Bar H Farms, Inc.  
1401 Bowie Street  
Wellington, Texas 79095  
Signature Confirmation: 2308 3250 0000 5244 8062

Linda Sue Belcher  
201 Paris Street  
Castroville, TX 78009  
Signature Confirmation: 2308 3250 0000 5244 8079

/s/ Philip J. Berg  
PHILIP J. BERG, ESQUIRE